IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 12739 of 2004

Between:

M/s.T.R.M.Micro Technologies, rep., by its Partner Sri Govindaraju Divakar, s/o Sri Krishna Murthy, r/o H.No.1-6, Ramesh Nagar, Guntupalli Post Ibrahimpatnam, Krishna District.

..... PETITIONER

AND

1 The Debts Recovery Tribunal rep., by its Registrar, Ministry of Finance, Govt., of India, IIIrd Floor, Insar Khazana Towers, IInd Land Dwaraka Nagar, Visakhapatnam.
2 State Bank of India, rep., by its Asst. General Manager, Main Branch BRP Road, Vijayawada-520 001.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly in the nature of writ of mandamus declaring the action of the 2nd respondent herein invoking the provisions of the THE SECURITISATION AND RECONSTRUCTION OF FINANCIAL ASSETS AND ENFORCEMENT OF SECURITY INTEREST ACT, 2002 pending adjudication of O.A.No.86 of 2004 on the file of the Court of 1st respondent herein as arbitrary, illegal, capricious and violative of all cannons of Law and Justice and consequently direct the 2nd respondent herein to follow the due process of law in recovery of debt from the petitioner firm.

Counsel for the Petitioner: MR.SAI GANGADHAR CHAMARTY

Counsel for the Respondent Nos.1 and 2: MR.A.RAJASHEKAR REDDY (SC FOR CG)

The Court made the following :

O R D E R: (Per Hon'ble Sri Justice B.Sudershan Reddy)

Sri Gangadhar Chamarty, learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with leave to avail such remedies as may be available to the petitioner in law.

Leave is accordingly granted.

The Writ Petition shall accordingly stand dismissed as withdrawn. No costs.

(B.SUDERSHAN REDDY,J)

27th July, 2004

(K.C.BHANU,J.)

Bcj/msv

To

1 The Registrar, Debts Recovery Tribunal
Ministry of Finance, Govt., of India, IIIrd Floor, Insar Khazana Towers,
IInd Land Dwaraka Nagar, Visakhapatnam.
2 The Asst. General Manager, State Bank of India,
Main Branch BRP Road, Vijayawada-520 001.

3 Two C.D. copies